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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,701	01/29/2004	David K. Kovalic	38-21(53535)B	6459
66057 7590 02/09/2009 MONSANTO COMPANY (A&P) 800 N. LINDBERGH BOULEVARD MAIL ZONE E2NA ST. LOUIS, MO 63167				
EXAMINER ZHOU, SHUBO				
ART UNIT		PAPER NUMBER		
1631				
MAIL DATE		DELIVERY MODE		
02/09/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b> 10/767,701		<b>Applicant(s)</b> KOVALIC ET AL.	
	<b>Examiner</b> SHUBO (Joe) ZHOU		<b>Art Unit</b> 1631	

All participants (applicant, applicant's representative, PTO personnel):

(1) SHUBO (Joe) ZHOU.

(3) Lisa Adelson.

(2) David Varick.

(4) \_\_\_\_.

Date of Interview: 03 February 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: \_\_\_\_.

Identification of prior art discussed: \_\_\_\_.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the afterfinal amendment filed 11/4/08, which has not been entered as indicated by the examiner in the Advisory action mailed 12/17/08. The examiner indicated that if an RCE is filed, he would enter the amendment, which should overcome the 102 rejection, and reconsider the 101 rejection in light of the Board decision in 10/959789.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/SHUBO (Joe) ZHOU/  
Primary Examiner, Art Unit 1631